IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LESTER KAUFFMAN, as Trustee of : CIVIL ACTION NO. 1:07-CV-0231

the UNION TROWEL TRADES :

BENEFIT FUNDS OF CENTRAL : (Judge Conner)

PENNSYLVANIA,

•

Plaintiff

:

v. :

•

JOCANZ, INC.,

:

Defendant:

ORDER AND JUDGMENT

AND NOW, this 7th day of June, 2007, upon consideration of the motion for default judgment (Doc. 6), see Fed. R. Civ. P. 55(b)(2), in which plaintiff seeks unpaid contributions for September through December 2006, liquidated damages and interest for July through December 2006, reasonable attorney's fees, and costs, and plaintiff's supplemental affidavit (Doc. 10) in support of the instant motion, and it appearing that defendant has not filed an opposition to the requested amounts, nor entered an appearance in the above-caption case, and the court finding that

¹ The Clerk of Court entered default against defendant under Rule 55(a) of the Federal Rules of Civil Procedure for failure to answer, plead, or otherwise defend. (See Doc. 5.)

² The order of court dated April 27, 2007 (Doc. 8) directed plaintiff to file a supplemental affidavit supporting the requested unpaid contributions, liquidated damages, and interest by providing the monthly calculations of these amounts.

³ <u>See Simbraw, Inc. v. United States</u>, 367 F.2d 373, 373 (3d Cir. 1966) (per curiam) (holding that "a corporation, to litigate its rights in a court of law, [must] employ an attorney at law to appear for it and represent it"), <u>cited with approval in Rowland v. Cal. Men's Colony, Unit II Men's Advisory Council</u>, 506 U.S. 194, 203 (1993).

the fees requested are reasonable in light of counsel's experience, the nature of the services counsel provided to plaintiffs in this case, and the rates charged by comparable counsel in the geographic area for such services, see In re Rite Aid Corp. Sec. Litig., 396 F.3d 294, 301-02, 305 (3d Cir. 2005); see also Interfaith Cmty. Org. v. Honeywell, 426 F.3d 694, 708 (3d Cir. 2005), and that the costs requested are reasonable, it is hereby ORDERED that:

- 1. Judgment is entered in favor of plaintiff and against defendant in the amount of \$39,801.06, consisting of:
 - a. \$30,931.82 in unpaid contributions for September, October, November, and December 2006,
 - b. \$4014.88 in liquidated damages for July, August, September, October, November, and December 2006,
 - c. \$2541.11 in interest for July, August, September, October, November, and December 2006,
 - d. \$1,803.75 in reasonable attorney's fees, and
 - e. \$509.50 in costs.
- 2. The Clerk of Court is directed to CLOSE this case.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge